

like to have him address these questions when he is closing on this bill.

SENATOR CLARK: Senator Barrett is next.

SENATOR BARRETT: Thank you, Mr. President, members. I did appreciate the questions asked by Senator Hefner and to Senator Lamb I would suggest that it is not the officer of the corporation that is paying the premium, it is the corporation itself and that is a legitimate business deduction deductible on the income tax. To Senator Higgins I would suggest that for paper shufflers there is a maximum of \$52,000 on the payroll per year. That rate now is 18 cents per hundred dollars a payroll making a grand total, a tremendously large Workmen's Comp premium of the year of less than \$94. It is according to classification. I would also suggest to Senator Higgins that there are exclusions in group insurance plans. Health or Blue Cross-Blue Shield is a major, Senator Higgins. I suggest to you that under Article II, exclusions and limitations, no payments shall be made under this contract except, and there is a section in which our attention is called to an election to waive or does not assert rights thereunder. Most of the group policies do follow the lead of the Blue's. This is the inherent danger that I see that we have out there right now. Someone feels that he might be covered under group insurance, opts out of Workmen's Compensation, has a work related accident and all of a sudden he is stripped naked. He doesn't have a thing because of the exclusionary language. I would also suggest that a corporate officer who waives coverage can also create a tort action against the corporation itself. Ordinarily both the employee and the employer are bound by the Workmen's Compensation law and this is the exclusive remedy of the employee. However, if the executive officer waives coverage under Workmen's Comp and then both the employee who was the executive officer and the employer, the corporation, go back to their common law rights and this is another fear that I have and the executive officer can then sue the corporation for damages in a tort action without any limitation. So what about the situation where a person is killed? He is opted out. His widow has three children. She can sue that corporation, get a tort action, no limitation, break the corporation because of this exclusionary language that we now have in many insurance contracts and I'm afraid that a majority of the people that opt out don't even know the exclusion exists. Thank you.

SENATOR CLARK: The question before the House is the advancement of LB 185. All those in favor vote aye, opposed vote nay. Have you all voted? Have you all voted on the advancement of LB 185? Senator Barrett, I am going to call the vote